



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
OPERATING ENGINEERS CONSTRUCTION :
INDUSTRY MISCELLANEOUS PENSION :
FUND, individually and on behalf of all :
others similarly situated, :

Plaintiffs, :

- against - :

MGP INGREDIENTS, INC., DAVID COLO, :
DAVID S. BRATCHER, and :
BRANDON M. GALL, :

Defendants. :

-----X
NEIL R. BRONSTEIN, AS TRUSTEE FOR :
THE BRONSTEIN CHILDREN :
PARTNERSHIP, individually and on behalf of :
all others similarly situated, :

Plaintiffs, :

- against - :

MGP INGREDIENTS, INC., DAVID COLO, :
DAVID S. BRATCHER, and :
BRANDON M. GALL, :

Defendants. :
-----X

24-CV-9685 (JAV) (RWL)

ORDER

25-CV-1330 (JAV) (RWL)

ROBERT W. LEHRBURGER, United States Magistrate Judge.

These matters filed pursuant to the PSLRA have been referred to me for general pretrial purposes. On February 14, 2025, three different plaintiff groups filed motions to consolidate the two actions and to appoint lead plaintiff and lead counsel. (See Dkts. 16,

20, 24.) Upon an initial review, it appears that consolidation is warranted and that the Pension Funds would qualify as the lead plaintiff and their counsel as lead counsel.

Accordingly, and in view of the time frame for the Court's decisions on these matters prescribed under the PSLRA, by **February 26, 2025**, defendants and each of the three plaintiff groups shall file (i) a letter stating whether they consent to (or do not oppose) consolidation and appointment of the Pension Funds and their lawyers as lead plaintiffs and counsel, and/or (ii) papers in opposition to the extent the respective party does not consent to any of those items.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: February 19, 2025
New York, New York

Copies transmitted this date to all counsel of record.